

ORIGINAL

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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRIAN DOUGLAS,

Plaintiff

v.

MARTIN F. HORN, et al.,

Defendants

Civil Action No. 1:CV-00-0982

(Judge Rambo)

FILED  
HARRISBURG

JAN 29 2001

MARY E. D'ANDREA, CLERK  
Per \_\_\_\_\_  
DEPUTY CLERK

DECLARATION OF BEN LIVINGOOD

I, Ben Livingood, hereby declare under penalty of perjury that the following statements are true and correct based upon my personal knowledge and belief:

1. I am presently employed by the Pennsylvania Department of Corrections as Assistant to the Superintendent at the State Correctional Institution at Camp Hill ("SCI-Camp Hill"). I have held that position since August, 1995.
2. As Assistant to the Superintendent, one of my titles is that of Grievance Coordinator. As the Grievance Coordinator, I receive and process inmate grievances filed pursuant to the Consolidated Inmate Grievance Review System under Department Policy DC-ADM 804.
3. According to institutional records, inmate Brian Douglas, DP-1285, has been confined to SCI-Camp Hill since April 9, 1998. During that time period, I have had an opportunity to receive and process inmate grievances filed by inmate Brian Douglas.
4. According to my records, he filed a total of seven inmate grievances since his admission. Of those total grievances filed, only four were appealed to final review under DC-ADM 804. A true and correct copy of a list of the grievances which Mr. Douglas has filed with

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CHIEF COUNSEL

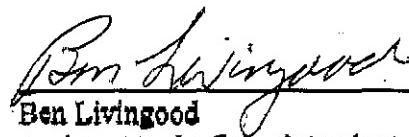
SCI-CAM

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my office since his admission to SCI-Camp Hill and their final disposition is attached hereto and marked Exhibit "A."

5. Those grievances, which were appealed to final review by Douglas, are: CAM-0178-00, CAM-212-00, CAM-0267-00, and CAM-0697-99. Inmate grievance CAM-0178-00 was filed against Business Manager Robert Gimble and concerned a request for indigent legal material. Inmate grievance CAM-0212-00 concerned the denial of paralegal assistance and accused librarian Zhong of discrimination. Inmate grievance CAM-0267-00 dealt with medical issues. Inmate grievance CAM-0697-99 concerned his removal from the sex offender program and alleged that he was disabled.

Executed this 27<sup>th</sup> day  
of January, 2001

  
\_\_\_\_\_  
Ben Livingood  
Assistant to the Superintendent  
SCI-Camp Hill

01/22/2001

Inmate Grievance Tracking System  
Grievances for DP1285 - 04/09/1998 thru 01/22/2001

Grievance Number	Inmate Name	Date Gr. Received	Grievance Category	Housing Unit	Grievance Location
CAM-0178-2000	DOUGLAS, BRIAN	03/14/2000	Legal/Courts	N	
CAM-0212-2000	DOUGLAS, BRIAN	03/27/2000	Legal/Courts	N	
Count 2 CAM-0267-2000	DOUGLAS, BRIAN	04/21/2000	Medical	N	DISPENSARY
Count 1 CAM-0187-2000	DOUGLAS, BRIAN	03/17/2000	Miscellaneous	N	
	DOUGLAS, BRIAN	11/30/2000	Miscellaneous	P	
Count 2 CAM-0697-1999	DOUGLAS, BRIAN	10/05/1999	Programs	N	
Count 1 CAM-0694-1999	DOUGLAS, BRIAN	10/04/1999	Work	N	KITCHEN 2
Count 1					

EXHIBIT

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Page 1

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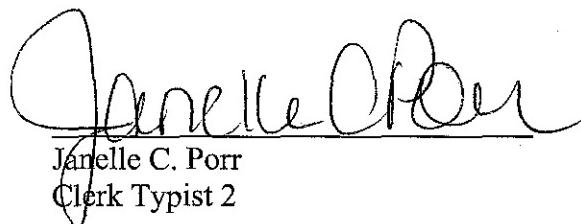
**CERTIFICATE OF SERVICE**

I hereby certify that I am this day depositing in the U.S. mail a true and correct copy of the foregoing Declaration of Ben Livingood upon the person(s) and in the manner indicated below.

Service by first-class mail  
addressed as follows:

Brian Douglas, DP-1285  
SCI-Camp Hill  
P.O. Box 200  
Camp Hill, PA 17001-0200

James D. Young, Esquire  
Lavery, Faherty, Young & Patterson, P.C.  
301 Market Street  
Harrisburg, PA 17108-1245



Janelle C. Porr  
Clerk Typist 2

PA Department of Corrections  
Office of Chief Counsel  
55 Utley Drive  
Camp Hill, PA 17011  
(717) 731-0444

Dated: January 29, 2001